

REMARKS

The present amendment is in response to the non-final Office Action dated July 20, 2006. Claims 1-13, of which claims 1 and 7 are independent claims, were originally pending in the application. The Applicants respectfully submit that the pending claims 1-13 are in condition for allowance in view of the following remarks.

A. Claim Rejections under 35 U.S.C. § 102(e):

The Examiner rejects claims 1-13 as being anticipated by Lee et al. (United States Patent Application Publication No. US2004/0137944). In light of the arguments contained herein, the Applicant respectfully requests that this rejection be withdrawn.

Under 37 C.F.R. §1.131 "[w]hen any claim of an application is rejected...the inventor of the subject matter of the rejected claim...may submit an appropriate oath or declaration to establish invention of the subject matter of the rejected claim prior to the effective date of the reference." The effective date of the Lee et al. reference is its U.S. filing date of January 15, 2003.

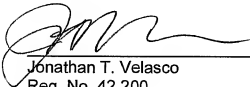
As described in the declaration(s) included herewith, the inventor(s) of the claims in the present application were in possession of the claimed subject matter at least as early as February 14, 2002 and therefore, under 37 C.F.R. §1.131, antedates Lee et al. reference. As such, the Applicants respectfully request that the Lee et al. reference be withdrawn as it no longer qualifies as §102(e) prior art (See MPEP 715 and 37 C.F.R. §1.131).

For at least the above reasons, the Applicants respectfully request that this rejection be withdrawn for claims 1-13 as they are in condition for allowance.

B. CONCLUSION

For all the foregoing reasons, allowance of claims 1-13 pending in the present application is respectfully requested. Petition and payment of the fee of a two-month extension of period for reply accompany the present submission. No other fee is believed due. The Director is authorized to charge any additional fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 50-3001 of Kyocera Wireless Corp. If necessary, applicant requests, under the provisions of 37 CFR 1.136(a) to further extend the period for filing a reply in the above-identified application and to charge the fees for a large entity under 37 CFR 1.17(a).

Respectfully submitted,

Dated: Dec 20, 2006
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): ANGELOPOULOS et al.	Group Art Unit: 2618
App. No.: 10/665,608	Examiner: WENDELL, Andrew
Filed: September 19, 2003	Conf. No.: 6386
Title: MOBILE HANDSET AS TTY DEVICE	

DECLARATION OF ANTHANASIOS ANGELOPOULOS UNDER 37 C.F.R. 1.131

I, ^{AA}Anthanasios Angelopoulos, a citizen of the United States, hereby declare and state as follows:

1. I am a joint inventor with Aaron Teague of the subject matter of Claims 1-13 now pending in the above-identified patent application.
2. Prior to January 15, 2003, in the United States, we conceived of the inventions claimed in pending Claims 1-13 and used due diligence in reducing the claimed inventions to practice in the United States by, at the latest, September 19, 2003, which is the filing date of the present application.
3. Exhibit A is a copy of the relevant portions of the Kyocera Wireless internal disclosure document submitted on our behalf to Kyocera Wireless' internal patent department disclosing the inventions claimed in the present application.
4. The relevant dates on page 1 of Exhibit A establish that we were in possession of the inventions claimed in the present application, at least as early as February 14, 2002.
5. All statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of any application for which it is used.

12/20/06
Date


Anthanasios-Angelopoulos
AA